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PECULIARITIES OF STATE REGULATION IN THE FIELD OF TRANSFRONTIER CO-OPERATION OF REGIONS IN THE CONDITIONS OF ELECTIONS

The peculiarities of state regulation in the field of transfrontier co-operation of regions were defined. These peculiarities include: the necessity of introduction of the principles of regional policy, synergy, system, etc.; effective activities of the institutes of this policy (legal and organizational); timely and comprehensive determination of methods and tendencies in its development. It was determined that transfrontier co-operation is one of these methods. It was found out that for its development in Ukraine, it is necessary to improve the relevant legal mechanism of state regulation. It was defined that it is possible to achieve this with the use of scientifically grounded approaches providing for, first of all, the differentiation of territorial and regional development.

Keywords: *state regulation, transfrontier co-operation, region, development.*

Problem setting. One of the specific features of the modern world is a rapid development of international co-operation of regions, including the transfrontier one [6]. This development is one of the driving forces of socioeconomic and institutional integration. The cooperation between regions makes an important contribution to the



strengthening of democratic and political stability in various fields of state's life. Effective use of international and transfrontier co-operation of regions favours the increase of general socioeconomic development of the country and its strengthening at the international arena as a reliable partner. This indicates the topicality of the research topic and the relevancy of this research.

Recent research and publication analysis. Various peculiarities of transfrontier co-operation as a constituent of international interaction were to different extents examined by M. Belitskyi, O. Borysenko, I. Dehtiarova, A. Dehtiar, S. Dombrovska, V. Kovalchuk, A. Kriukov, N. Latynin, N. Medushevskyi, N. Mykula, Z. Petrenko, Yu. Ulianchenko and others [1; 6]. Scientific works by the scientists are devoted to the problems of formation of the state policy in the field of stable development of individual regions and a country as a whole. However, given the demands of times, the peculiarities of formation and implementation of state regulation in the field of transfrontier co-operation of regions, including Euroregions, require a special systemic examination.

Paper objective. Thus, the paper objective is a theoretical definition of peculiarities of formation and implementation of state regulation in the field of transfrontier co-operation of regions, as well as the prospects of its development.

Paper main body. It is known that the international co-operation of regions is implemented by way of development of territorial, interregional and transfrontier interaction. European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning the territorial co-operation [2] contains the range of concepts in this field of activities. Thus, the Convention defines the transfrontier co-operation as any concerted action designed to reinforce and foster neighbourly relations between territorial communities or authorities within the jurisdiction of two or more Contracting Parties and the conclusion of any agreement and arrangement necessary for this purpose [same].

The same document specifies the concept “territorial communities or authorities” as communities, authorities or bodies exercising local and regional functions and regarded as such under the domestic law of each State [same].

It should be noted that interregional cooperation is understood as any relations established between regions belonging to different states.

However, it is necessary to improve the domestic framework of categories and concepts (see State programme for the development of transfrontier co-operation for 2016-2020 [5]) by adding the concept of territorial co-operation introduced by the Outline Convention, which significantly differs from transfrontier co-operation. It is connected with the fact that depending on national legislation, not only regions may enter into international relations, but also any other low-level territorial entities, not necessarily the neighbouring ones (which stipulates the transfrontier co-operation). This means certain mutually coordinated activities aimed at the establishment of relationships between territorial communities or authorities of two or more contracting parties, except for the relationships of transfrontier co-operation between neighbouring authorities including the conclusion of agreements on co-operation by territorial communities or authorities of other states [same].

Therefore, out of the concepts indicated above, the widest is the “territorial co-operation.” This cooperation defines the right of territorial authorities of any level to co-operate with the relevant territorial authorities of other states. In accordance with the Law of Ukraine “On Fundamentals of State Regional Policy” for our country, it means mega-regions (several regions) and micro-regions (districts, villages, towns, i.e. the parts of a region) [4].

It should be noted that interregional co-operation limits the legal frameworks of territories being at the second level after the central one. Meanwhile, transfrontier co-operation means the co-operation of adjacent territories of neighbouring countries, i.e. determining here is the availability of a border between the co-operating territories. Thus, transfrontier co-operation is impossible between non-neighbouring states.

The scientists state that there are some controversies in the interpretation of the European Outline Convention on Transfrontier Co-operation [2] regarding optionality of the availability of a border for transfrontier co-operation. However, based on the Preamble to this Convention, transfrontier co-operation is carried out by the authorities of neighbouring territories, while the territorial ones are carried out between foreign authorities of non-neighbouring territories. In this connection, it is possible to state that the concepts of “territorial” and “interregional” are not identical and they shall be considered through the prism of definition of the concepts of “region” and “territory.” Since our previous published works [3] concerned to one degree or another the details of these concepts, there is no need to highlight them in details. It only should be noted that in the domestic science “Public management and administration,” there is a theoretical differentiation on the concepts of “territory” and “region” on the one hand, and their identification in practice on the other hand (see p. 2-3, p. 7 of Art. 1 of the Law of Ukraine “On Fundamentals of State Regional Policy” [4]).

It should be further noted that fair is the following opinion: if we understand territory as an administrative unite of different levels of a state, including the second level after the state one (i.e. a region based on the European definition), then the concept of “territorial” will include the “interregional” co -operation as well [6-7]. However, not every territory is a region. It is stipulated by the fact that the most important aspect for defining a region is its administrative status (a territory cannot have one), the availability of authorities, the competence of which concerning the possibilities allows them to carry out one or another co-operation, etc.

Thus, it is reasonable to consider transfrontier co-operation without identifying it with the territorial one, first of all, under the conditions of transfrontier area, much more problems arise requiring solutions in comparison with the ones arising regarding the territories of non-contiguous countries. These problems are often objective (not influenced by a person), for example, the transfer of contaminations to adjacent territories, common water resources, etc. There is no doubt that implementing the

programme of integration into the EU and global community, Ukraine shall use the terminology that is used in Europe. However, the analysis of European Outline Convention on Transfrontier Co-operation [2] makes it possible to state that it requires specification as well.

In the beginning of the paper, we focused attention on the fields of implementation of transfrontier co-operation. It should be added that it is a specific field of external economic, political, environmental, cultural and educational, as well as other types of international activities, which are carried out at the regional level and cover all of its common forms. In addition, it differs with the need and the possibilities of their more active use, as well as the range of peculiarities, namely, the availability of border and the necessity of its arrangement, common use of natural resources and solution of security problems, wider mutual communication of population of neighbouring countries and personal relations of people, significant impacts on infrastructure. That is why the foundation of transfrontier co-operation is the process of creation of direct communication and feedback, as well as the development of contractual relations in border areas with the purpose of searching for common identical problems.

Quintessence of transfrontier co-operation is the fact that two adjacent border regions co-operate in the process of development of plans and the choice of priorities of socioeconomic development. After that, they co-ordinate the development plans for individual measures. Transfrontier co-operation means that the form of a dialog shall involve all institutes – both the social groups of the population and the state authorities .

An important aspect is the fact that transfrontier co-operation is aimed at overcoming the negative elements of existence of the borders of states and the consequences arising in the border territories (due to their location at these borders with the purpose of improvement of the life of population). The main goals of this co-operation are as follows:

- overcoming the existing stereotypes and prejudices;

- removal of political and administrative barriers between the neighbouring population (peoples);
- creation of economic, social and cultural infrastructure, under the condition of formation of common institutions, economic entities, etc. [1].

Moreover, transfrontier co-operation in the EU countries has the other goals as well: the achievement of the total integration of transfrontier area at internal and external borders of the EU, i.e. between the countries, which are not the EU members but are its neighbours. In these countries, the main goal of transfrontier co-operation is the improvement of life standards and the solution of common problems by the united efforts [6].

Thus, taking the goals of transfrontier co-operation development into account, it is possible to single out three groups of borders:

- the EU's internal borders;
- the EU's external borders;
- borders between the non-EU countries.

The main goal of transfrontier co-operation in the EU's integration processes is defined by the possibility of acceleration of the processes of making the life standards in border territories more equal (closer to the average European ones) and by the achievement of free movement of goods, people and capitals through the border till the total integration of the area. Transfrontier co-operation in its simplest forms happens constantly. And therefore, the formation of integrated area in transfrontier region happens constantly as well. These processes are accelerated by the factors of globalization as well. For Ukraine and its regions, important is the understanding of the fact that transfrontier co-operation is a supplemental element of its integration into European community, the course of which was defined in February 2019.

As it was noted before, the concept of transfrontier region is necessary to define certain territory, which covers adjacent territories of neighbouring countries. In our opinion, in addition to adjacency, such characteristics as commonness of natural

geographical conditions require attention as well. The availability of the border is the factor that defines a transfrontier region among the range of adjacent regions. There can be no transfrontier region in non-adjacent territories. Nevertheless, the transfrontier region can cover adjacent territories of several countries, like Volyn Oblast in Ukraine, Brest Region in Belarus and Lublin Voivodeship in Poland [6]. Transfrontier region may be singled out at the second level after the state one, i.e. at the level of a district, which always has a designed purpose.

In order to define more deeply the place of territorial and transfrontier co-operation in regional development, we shall use the modern paradigm of regional development, which is oriented towards the more comprehensive consideration of interests of territorial communities, the assignment of responsibility for the development of regions on local authorities, mutual co-ordination of activities of central and local authorities, and, for border regions, the coordination of local authorities of adjacent territories. This means that the modern regional policy shall, first of all, be oriented towards the mobilization of local potential and resources instead of interregional distribution. As a matter of fact, the place of international cooperation of regions in regional development is defined by its ability to the activation and efficient use of existing potential of co-operating regions. As for the place of transfrontier co-operation, it is defined, among other things, by the ability to combine the potential possibilities for the solution of common problems and tasks of spatial development in transfrontier region.

In addition to the role of assistance in integration processes, transfrontier co-operation is a peculiar stimulus to (potential for) growth. When illustrating the movement of socioeconomic development from the west to the east, from the more developed economic environment to the less developed one (fig. 1) and taking into account the fact that the socioeconomic development in each state happens from the centre (C) to periphery (R1, R2, ... Ri), then transfrontier co-operation creates additional possibilities for the mobilization of resource potential of territories (R1', R2',

... Ri') for the acceleration of their socioeconomic development and increase in life standards.

Thanks to transfrontier co-operation, it is possible to change the tendencies of regional development “Centre – periphery” and eliminate the analogy between “border,” “peripheral” and “underdeveloped.” In other words, transfrontier regions make it possible to change the peripheral situation into the central one. Transfrontier co-operation became a factor that favours the public dialogue and the achievement of social equality, a tool for the development of all sectors of border local and regional authorities. We would like to give a quite good, in our opinion, vivid perception of transfrontier co-operation: “Almost in all countries all over the world, political and economic centres are, as a rule, concentrated in the heart (centre) of the territory, and the infrastructure, first of all, in it develops accordingly. As a result, the socioeconomic development of border territories happens poorly, and there are lower life standards there as well. Hence there is the need to change this situation. Taking the appropriateness of this goal achievement into account, regional policy in the field of transfrontier co-operation shall be formed.” [1] As for Ukraine, and especially for its regions, the processes of territorial and transfrontier co-operation are new, and certain time is needed in order their importance to be understood at the state and regional level, and organizational and legal, financial, personnel and other possibilities to be ensured for the activation of regions’ participation in international cooperation with the purpose of more effective use of resource potential of territories and the increase of life standards.

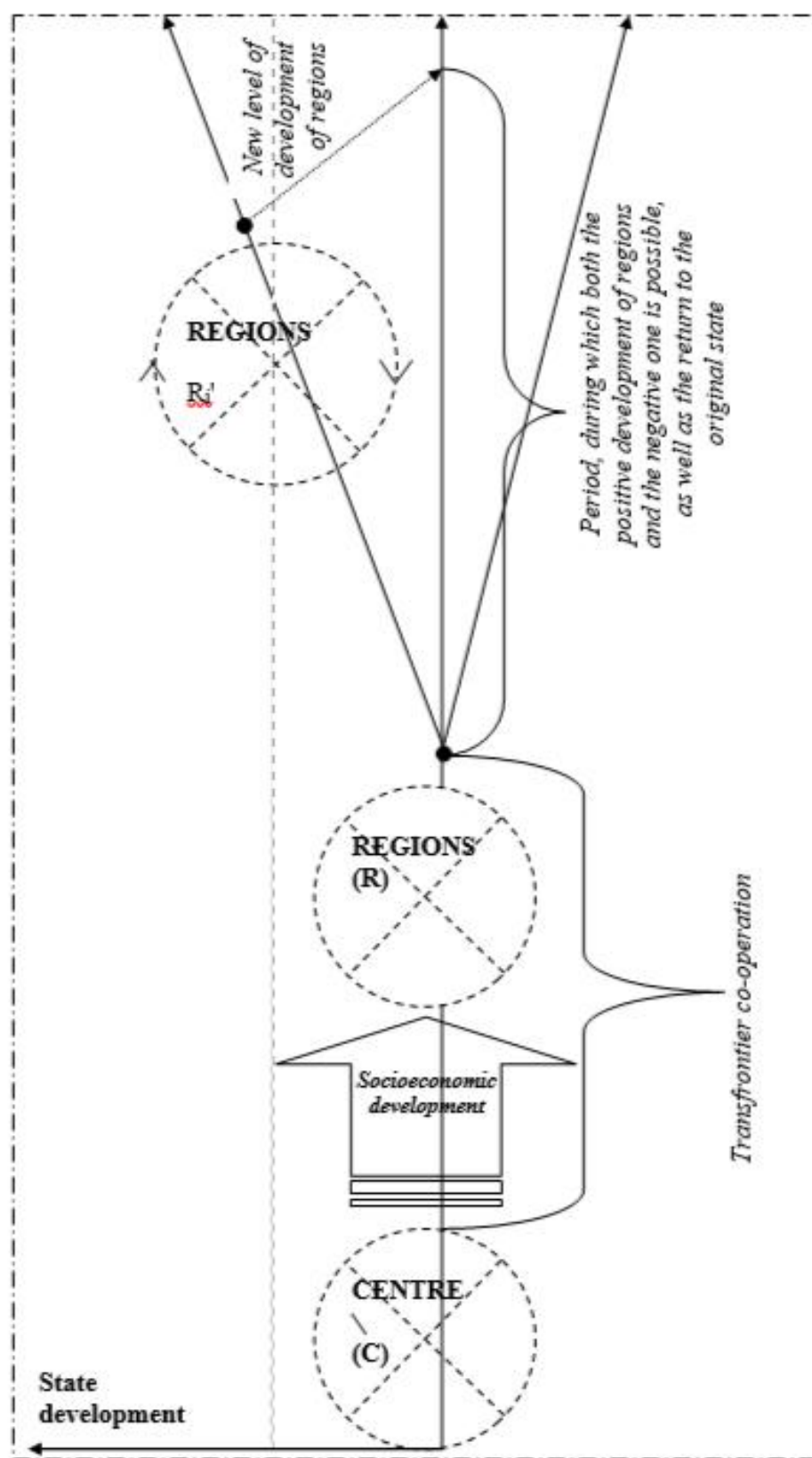


Fig. Synergetic model of development of regions in the context of implementation of transfrontier co-operation. Source: author's work.

Conclusions of the research. The compliance with the EU's regional policy principles indicated above is a required condition for the development of main types of transfrontier organizational forms of co-operation in Ukraine, both within the frameworks of its European integration ambitions, and with the participation of the regions of the EU states and border regions of the neighbouring countries. It was determined that the main types of transfrontier organizational forms of co-operation include: 1) "territorial communities," which are based on certain agreements with limited possibilities and are rarely included in the border territories development programmes; 2) different memorandums aimed at the implementation of certain programmes. It should be noted that a promising form of implementation of transfrontier co-operation and the highest form of development of transfrontier regions is the creation and development of Euroregions. Within the framework of this development, a special focus is made on the improvement of life standards, transfrontier infrastructure, incomes level increase, etc.

Taking this, as well as the integration ambitions of Ukraine into account, we analyzed the domestic and European legal base regulating transfrontier co-operation and development of regions. It was defined that the domestic legal base [4-5] requires amendments taking the conceptual framework in the field of transfrontier co-operation developed abroad into account. It was also emphasized that there is the need to correct some of the provisions of the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning the borders for the implementation of this co-operation [2]. Moreover, the general problem of domestic and European legal base was defined concerning the relation of territorial and interregional co-operation. It is possible to achieve this with the use of scientifically grounded approaches to the definition of the concepts of "region," "regional development," which will be studied in our further researches.

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